

CHURCH AND STATE

A MONTHLY REVIEW



VOL. 9, NO. 3

MARCH 1956

Racial Struggle Affects Church-State Relations

The tragic struggle over racial segregation in Southern schools has involved many churches and church leaders in sharp disputes over church-state policy. Many leaders of American Protestantism, typified by Dr. Eugene Carson Blake, president of the National Council of Churches, have expressed fundamental agreement with the policy of desegregation championed by the hierarchy of the Roman Catholic Church. In general, most Christian and Jewish leaders of both North and South have accepted the Supreme Court's 1954 decision as morally binding in principle, although sharp differences have developed concerning the application of the principle and the authority of churches to direct their members in such matters. Many individual Protestants and Catholics in the South refuse to recognize as morally binding either the court decision or the prevailing attitude of their own denominations on racial issues.

The most striking development of a church-state issue in the racial struggle came last month when Louisiana legislators proposed a statute which would prevent desegregation in non-public schools. Since Louisiana's Senate is about one-third Catholic, while the parochial schools of New Orleans enroll more pupils than the public schools, the proposed legislation provoked a storm. New Orleans Archbishop Joseph F. Rummel condemned political interference with his school system and threatened to excommunicate any Catholic legislator who worked for any law which required segregation for the system. He cited Canon 2334 of Roman Catholic law as authority for his stand.

Editors who rushed to examine the basis of the Archbishop's authority to excommunicate a legislator for supporting a law condemned by the hierarchy found the following language

in Bouscaren and Ellis's *Canon Law*, page 866:

Interference with the Liberty, Rights, Jurisdiction of the Church. The following incur an excommunication *latae sententiae* specially reserved to the Holy See: (1) those who issue laws, mandates, or decrees contrary to the freedom or rights of the Church; (2) those who directly or indirectly impede the exercise of ecclesiastical jurisdiction either of

the internal or external forum, and for this purpose have recourse to any lay authority.

In plain English, this canon gives the Pope, through his bishops, power to excommunicate without trial any Catholic legislator for voting for any bill which the Vatican considers contrary to the "rights" of the Church. Catholics are forbidden to appeal to their civil governments in such matters.
(Continued on page 4)

Court OK's This 'Public' School



A 6-1 decision of the Kentucky Court of Appeals—the state's highest tribunal—last month upheld the employment of garbed Roman Catholic sisters as "public" school teachers in buildings rented by local school boards from the Church. The picture, according to a Louisville "Courier-Journal" caption of March 22, 1953, shows Sister Albert Maria, principal of St. Vincent de Paul School at New Hope, in Nelson County, teaching seventh and eighth-grade "public" school classes—the kind of situation, prevailing in six counties, which the suit launched in October, 1953, by the POAU-affiliated Kentucky Free Public Schools Committee, had sought to clear up. What further remedial steps may be taken in the light of the adverse decision is a question now being carefully studied by POAU leaders and other friends of religious liberty in the state. Judge Astor Hogg, dissenting from the majority opinion of Judge Porter Sims, held that sisters should not be allowed to wear religious garb while serving as "public" school teachers. (See "Church and State," May and November, 1953, and November, 1954, as well as other issues.)

Lutheran Calls Lodge Proposal Illusory

Continuation of the present United Nations custom of observing a minute of silence for prayer or meditation at Assembly sessions was called for by the weekly *Lutheran Herald* in an editorial of January 24 entitled, "To Whom, for What, Why?" The magazine, official organ of the Evangelical Lutheran Church published in Minneapolis, Minn., under the editorship of Dr. O. G. Malmin, took issue with a recent proposal of United States Chief Delegate Henry Cabot Lodge, Jr., that the minute-of-silence be replaced by "audible prayer" (*Church and State*, February).

"Any Christian person" would agree with Lodge on the need for prayer for divine assistance to the leaders of nations, the editorial affirmed, but it questioned the value of "psychological gestures" such as a formal UN prayer would inevitably have to be, in the magazine's view. Rotation among the functionaries of various world faiths, the editorial noted, would require that the prayers be "led in turn, perhaps, by a Jew, a Mohammedan, a Hindu, and a Christian." "To whom," it continued, "is such a prayer addressed? The Christian believes that only prayer in Jesus' name is truly prayer. Can he participate in a prayer by one who does not acknowledge Jesus Christ as God and Saviour? Can he participate in a prayer which, according to what his Bible tells him, is not a prayer at all?"

"... Our greatest Christian privilege is that of access to God through Jesus Christ. We do not want to see that privilege watered down to a 'common denominator' which will be satisfactory to people of every religion in the world, and of no religion at all. That, in the Christian sense, is exactly what such an 'audible prayer' would get to be."

Urges Rejection Of 'Gift' School

Writing as one Methodist to another, the Rev. Dr. C. Stanley Lowell of the Virginia Beach, Va., Methodist Church (now associate director of POAU—see story in this issue), sent a letter on February 14 to the Rev. Howard Love of Grace Methodist Church, Westerly, R. I., expressing his concern over "reports in *The*

Christian Advocate and *The Christian Century* [that] your church has accepted, for the token payment of \$1, a public school building from the town council of Westerly."

Dr. Lowell, taking note of a statement attributed to the Westerly clergyman that there was no "significant difference between the use we plan to make of this property and the use which will be made of the property given to another religious group," commented: "Your statement is entirely correct. It brings out most clearly what is wrong with the whole process. Our Constitution, our laws, and the whole genius of the American system, have opposed the use of public resources, tax funds or property, for sectarian purposes." Pointing out that the Roman Catholic Church is particularly active in exploiting such instances of public aid to religious institutions, Dr. Lowell urged that the official board of Grace Methodist Church "take action to restore this property to the state so that the battle we are waging for true separation [of church and state] may not be embarrassed."

♦

Tennessee Supreme Court Gets School Bible Case

Three "substantive constitutional questions" are stressed in an *amici curiae* (friends-of-the-court) brief filed recently with the Supreme Court of Tennessee by Unitarian, "Liberal Christian" and Jewish groups in connection with a suit by a Nashville parent against public school Bible-reading and teacher-supervised religious activities. Supporting Philip M. Carden, the plaintiff in the suit (*Church and State*, October and December), the First Unitarian Church of Nashville, the Oak Ridge Branch Alliance of the General Alliance of Unitarian and Other Liberal Christian Women, the Oak Ridge Section of the National Council of Jewish Women and the Tennessee Valley Unitarian Church jointly argued that while history, literature, art or other secular subjects might legitimately touch upon religious works or institutions when connected with the subjects, the Nashville public school religious practices infringed upon religious liberty.

The brief asked the Court to outlaw "the compulsory reading of the King James version of the Bible in the public schools, the official intervention in private religious observ-

ances by the checking and recording of Sunday School attendance by public school teachers, and the use of public school classrooms during school hours for the singing of sectarian religious songs by the school pupils."

Asserting that "the clear weight of authority over the past half-century" supports Carden's complaint, Attorney Martin Southern in the *amici curiae* brief went into the decisions in some detail. Noting that "all religious groups do not accept the King James version of the Bible," he cited four state decisions of recent decades holding the Bible to be a sectarian book and added that even in the apparently contrary decisions of two other states the issues were different. On the "several decisions frequently cited as holding that the Bible is not a sectarian book," Southern commented: "... in some the question involved was a violation of a constitutional provision prohibiting appropriation of money for a religious sect or in support of a place of worship, and the point is made that direct appropriation only was prohibited by such clauses, and that the Bible was not sectarian under such a clause. Two decisions involved rules or statutes which confined the Bible-reading to the Old Testament, and both opinions emphasized this fact." "Even the cases holding the reading of the Bible to be non-preferential by implication attest its sectarianism," the attorney continued, "inasmuch as in nearly every such case those whose religious beliefs were in conflict therewith were excused, and in most of the decisions this fact was relied upon to save constitutionality."

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Church and State

Published Monthly (except August) by Protestants and Other Americans United for Separation of Church and State

1633 Mass. Ave., N. W., Washington 6, D. C.
Minimum Annual POAU Membership \$3.00,
\$2.00 of which is for Annual Subscription to *Church and State*

Entered as Second-Class Matter at the Post Office at Washington, D. C.

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CHURCH AND STATE

NEWS From Far and Near

Malta Referendum Beaten by Vatican

◆ Brazil has lifted a ban, imposed last July, against the showing of the film, *Martin Luther*. Protestant leaders in the country give credit to "the positive influence of a free press," particularly in the United States, where the story of the ban had been widely circulated (*Church and State*, May and October, 1955).

◆ Richmond, Va., City Attorney J. Elliott Drinard, after carefully reconsidering an admittedly "difficult" case, has ruled that the headquarters building of the Southern Baptist Foreign Mission Board "is sufficiently similar to a Young Men's Christian Association to be within the tax exemption provision by §183 of the [state] Constitution." He warned, however, that "almost any organization that has any sort of religious aspect" might claim exemption on the same basis, and emphasized that all future cases will be decided on their individual merits (*"Church and State,"* May, June and December, 1955).

◆ The Hamilton, Ontario, Council of Jewish Organizations has called on the Canadian Jewish Congress to take "firm measures" in protest against sectarian practices in Ontario public schools, particularly the practice in certain grades of allowing "Ministers of the Gospel [to] enter the classrooms in clerical garb" to teach religious doctrines which "cannot be accepted by some of the pupils."

◆ A proposed amendment to the Colorado constitution to require state approval for all non-public schools attended by pupils under the compulsory education law has been killed in the General Assembly. It had been fought tooth and nail by the Roman Catholic Church under the leadership of Denver Archbishop Urban J. Vehr. The House of Delegates of the Colorado Education Association had urged minimum-standards legislation last December. (See POAU's survey of "State School Laws and Standards," *"Church and State,"* September, 1954.)

◆ A draft constitution for an "Islamic Republic of Pakistan" calls for a government which shall be secular yet at the same time take "steps . . . to enable Moslems of Pakistan to order their lives in accordance with the Holy Koran. . . ."

◆ A bill to amend the New York State Religious Corporations Law, introduced by Assemblyman Joseph R. Younglove of Johnstown, has been shelved after a number of Protestant Episcopal clergymen attacked it on the ground that it would reduce the requirement for a vestry quorum in their church and violated the tradition, prevailing since adoption of the law in 1813, that no legislative changes should be proposed without consulting church leaders. The bill was aimed at the Rev. William Howard Melish, supply priest at Holy Trinity Church, Brooklyn Heights, who, as an allegedly "pro-Communist" clergyman, has been the object of an ouster attempt by part of the church vestry. The question of whether or not the anti-Melish vestry group constituted a legal quorum is now before the courts.

◆ A "hint" that the Vatican should be given full membership in the United Nations so that the Pope's voice could be "heard within the great international assizes" was dropped in Rome on February 23 by Valerio Cardinal Valeri, former papal diplomat and present head of religious orders, according to a Reuters dispatch. At present, the Holy See is admitted to UN bodies only as an observer. If it were admitted as a full voting member, who would represent it? Cardinal Spellman? If this seems far-fetched, it should be remembered that Archbishop Muench of North Dakota is still Papal Nuncio to Germany—an American citizen serving two masters (or is it only one?).

◆ Parochial school busses are to be exempted from the Maryland automobile titling tax under a bill by State Senator H. Winship Wheatley, Jr., of Prince Georges County. The bill passed the House on February 27.

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The Mediterranean island of Malta has been for 150 years politically British and ecclesiastically Roman Catholic. The Church has claimed more than 90 per cent of the population and Roman Catholicism has been the state religion.

In February the people were asked to vote in a referendum on a plan of integration with Great Britain under which they would get very favorable treatment—three seats in the British parliament and full British social security benefits. But the Vatican demanded as a condition of its support for the plan that it should receive a written assurance that Catholicism would continue to be the state religion. When the assurance was not forthcoming, the priests urged the faithful to vote No in the referendum.

The result was an inconclusive vote. Thousands stayed away from the polls because of their priests' opposition or because of nationalist sentiment. The majority of those who voted were in favor of integration with Britain about 3 to 1, but the plan did not win an over-all majority.

The Malta result is especially interesting to Americans because the Vatican's Malta policy was used as an illustrative warning, by Charles C. Marshall in his book, *The Roman Catholic Church in the Modern State*, timed to adversely affect Al Smith's 1928 campaign for the presidency. At that time, Marshall showed that priests were using the confessional in Malta to secure a political victory for the Vatican.

When Suppression Is Constitutional

"... the Constitution intervenes to save the [public] schools from the worst subjection to ecclesiastical dictation. According to our theory of the public control of education, our citizens could if they wished prescribe a curriculum for the schools in which teachers would be obliged to teach that the moon is made of green cheese. But they could not, without altering the Constitution, prescribe that the Westminster Confession of the Presbyterian Church be taught in the classrooms. This would be 'establishing' religion at taxpayers' expense, and that is forbidden by the first amendment."—Paul Blanshard in his new book, *"The Right to Read"* (Beacon Press, Boston, 339 pp., \$3.50).

Prelate Talks of War As Population Remedy

Dr. Karl Sax, professor of botany at Harvard University and, among other things, a well-known authority on genetics, published a book last year (*STANDING ROOM ONLY: The Challenge of Over-Population*, 206 pp., Beacon Press, Boston, \$3.00). The following passage, based upon part of one chapter, impressively illustrates the danger to the human race which is presented by religious authoritarianism when coupled with governmental power:

Creeds or Needs

By Karl Sax

The unprecedented growth of the human population is the greatest threat to peace and prosperity in the world today. If the present growth rate could be continued for about 400 years there literally would not be standing room for all of the world's people on the entire land surface of the earth. Yet the present growth rate is little more than a third of the possible growth rate resulting from uncontrolled birth rates and controlled death rates. The world population growth rate continues to increase even though nearly two-thirds of the world's people live at little above subsistence levels. In most of the world any increase in agricultural and industrial production has been used to support larger populations in poverty.

The refusal to face the facts of life has led to the most irrational and tragic consequences. Hitler, Mussolini and Tojo claimed that their countries were overpopulated and their people needed more Lebensraum. Instead of suggesting that birth rates be curtailed they appealed for higher birth rates to provide larger armies in order to invade and take the land and the lives of their neighbors.

It was a shock to hear a similar proposal made by a representative of a great religion. On September 12, 1954, the Very Rev. Francis J. Connely [dean of Catholic University's School of Sacred Theology], speaking on the ethics of war on "The Catholic Hour," made the following statement:

There can be occasions when even a war of conquest will be justifiable, a war waged for the purpose of acquiring more territory. This case would be this: A nation has increased in population to such an extent that there is not sufficient land to provide a decent livelihood for the cit-

izens, so that they are reduced to direct poverty and starvation. In such circumstances the first duty of the government is to attempt to remedy the situation by peaceful measures, such as purchasing more territory from another nation, or sending some of the people abroad as emigrants who will become loyal and dutiful citizens of the land of their adoption. But it may happen that no other country will sell land, or admit the people of this overcrowded nation into their borders. In that event, when the situation has grown desperate, the nation that is put in this situation of extreme need may lawfully go to war in order to seize a portion of territory that is not needed by another country.

Does this policy mean that North America must welcome, or be invaded by, many millions of Asiatics who breed with no consideration of social and economic consequences? If so, what happens when the United States and Canada become as densely populated as India and China and the situation has again "grown desperate"? With primitive birth rates and modern death rates five million Chinese could increase to 600 million, the present population of China, in less than 150 years. Obviously, neither emigration nor war can solve the population problem. There can be no hope for a decent life for all mankind unless birth rates in all parts of the world are rapidly reduced to little more than replacement levels. Yet the Catholics and the Communists urge larger populations.



Racial Struggle

(Continued from page 1)

ters against their bishops; if they do, they are committing a mortal sin. In this case they would be punished not for defying the United States Supreme Court but for defying their Archbishop. Under Catholic Law the control of schools rests entirely in the hands of the hierarchy.

The use of this type of threat against Catholic legislators is very common in Europe but it is rarely resorted to openly in non-Catholic countries. The threat is most commonly employed against Catholic legislators who oppose money bills for Catholic schools. It has been used in Belgium in an effort to defeat any laws reducing public appropriations to parochial schools; in Italy, to block all divorce legislation; and unofficially in Massachusetts and Connecticut to prevent the adoption of any permissive birth-control law.

As this issue goes to press, some Louisiana Catholic legislators are defying Archbishop Rummel's threat.

POAU Meetings Air Suppressed Facts

The author of what has been dubbed "America's 'silent bestseller'" was one of several speakers who addressed major POAU meetings in various parts of the country in recent weeks. Emmett McLoughlin, the widely-known but little-publicized ex-priest and administrator of Memorial (formerly St. Monica's) Hospital in Phoenix, Ariz., addressed more than 3,000 persons at meetings in Santa Monica, Pasadena and Long Beach, Calif., in February under the sponsorship of the Los Angeles office of POAU.

McLoughlin's autobiography, *People's Padre*, published in 1954 by The Beacon Press (\$2.95), has been virtually boycotted by book sections of prominent newspapers and magazines, but eighteen months after publication it had sold 50,000 copies and was maintaining a current weekly sale of more than 1,000. (For the full story of attempted suppression, write to The Beacon Press, 25 Beacon Street, Boston 8, Mass.)

On February 27 Executive Director Glenn L. Archer and author Paul Blanshard addressed a rousing meeting in the Lyric Theater Auditorium, Baltimore, Md.

Recent and forthcoming Archer speaking engagements—including a week-long tour of New Mexico, where the school bus question is being fought out—are listed below:

February 1, Washington, D. C., Methodist ministers' seminar; February 9, Alexandria, Va., men's fellowship group of Trinity Methodist Church; February 13-14, Philadelphia, Pa., St. James Methodist Church; and Eastern Baptist Theological Seminary; February 19, Atlantic City, N. J., Horace Mann League; February 21 and 27, ministers' breakfast and Lyric Theater meeting, Baltimore, Md.; March 4, Albuquerque, N. M., three addresses in local churches and at public rally; March 5, addresses in Tucumcari, Clovis and Hobbs, N. M.; March 6, Carlsbad, Artesia, Roswell and Alamogordo, N. M.; March 7, Las Cruces, Deming, Silver City, Truth or Consequences, N. M.; March 8, Grants, Gallup and Farmington, N. M.; March 9, Santa Fe, N. M.; March 13-23, Los Angeles, Calif., area, series of meetings; March 25-31, San Francisco, Calif., area; April 10, Raleigh, N. C., Pullen Memorial Baptist Church; April 17, Philadelphia, Pa., Universalist Church of the Reformation; June 1, Kansas City, Mo., Southern Baptist Convention; June 11-14, Harrisonburg, Va., Virginia General Methodist Conference; July 4, Wescosville, Pa., annual Seventh-day Adventist camp meeting; October 9-11, Colorado State Baptist Convention; October 21, Arlington, Va., Methodist Church Laymen's Day; November 4, Vermont Council of Churches, annual meeting.

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Legion of Decency Tilts at Windmill

Letters from my Windmill, a French motion picture which had its first American showing on December 18, has received the "C" or "condemned" rating of the National (Roman Catholic) Legion of Decency in spite of the fact that it had been exhibited for a year with clerical approbation in France. The Motion Picture Production Code, dutifully following the Legion's lead, has also denied its seal of approval to the film.

Embodying three Alphonse Daudet stories of the Provençal region, the film had opened in Paris in November, 1954, had been viewed at a special screening by 4,500 nuns and priests and had been endorsed in writing by Canon Jean Dewavrin, director of the Centrale Catholique du Cinema, French counterpart of the Legion of Decency. Noting that two of the film trilogy's three stories ("The Three Low Masses" and "The Elixir of Father Ganucher") made merry with the human failings of its priestly characters, Canon Dewavrin observed in a letter to the clergy of Tourcoing Parish: "These various subjects have been treated with discretion, believe me, and with such poetry that the humor goes over easily." However, because one of the stories concerns a priest who succumbs to gluttony and another portrays a brother in a poor monastery who discovers a secret formula for a wonderful liqueur, the National (U. S.) Legion of Decency found:

"This film, a trilogy, contains in the first two episodes a frivolous, disrespectful and grossly comical presentation of religion and religious characters. Its exhibition in entertainment motion-picture theatres is seriously objectionable and conducive to a misunderstanding of religious practices."

The picture continued to be shown at the Paris Theater in New York City. The distributor, Tohan Pictures, quoted the Protestant Motion Picture Council as saying of *Letters from my Windmill*: "It follows its uninhibited and occasionally impudent way to the delight of those who understand the spirit, customs and background of those portrayed."

Asked to explain the discrepancy between the appraisals of French and American Roman Catholic clerics, the Very Rev. Msgr. Thomas F. Little, executive secretary of the National

Legion of Decency replied lamely: "It's not the first time we have condemned a picture and they have said otherwise, or vice versa. The receptivity of a picture in one country might not be the same as the receptivity in another country." Actually, of course, the Legion had condemned the picture as a matter of faith and morals, upon which subjects the Pope is supposed to instruct the Church Universal in unequivocal terms. Perhaps Msgr. Little and his French brethren should apply to that "infallible" personage for a settlement of their dispute.

+

French Regime on Spot Over Church School Aid

France, which had separation of church and state from 1906 to 1951, is now being torn by a new struggle between the Roman Catholic hierarchy and major political parties over an attempt by an anti-clerical bloc in the French Assembly to discontinue subsidies to Catholic parents for parochial school tuition. The struggle came to a climax last month when two bills were introduced which would have abolished the subsidies which had been granted to parents in a series of measures dating from September, 1951. "France," said a resolution introduced by the Socialists, "must once more become secular, independent and impartial."

The tactics of the Catholic bishops in defending their indirect subsidies should be illuminating to Americans who are seeking to preserve the policy of church-state separation. The bishops have described their battle as a fight for "freedom of education," and they have branded opponents of the subsidies as persons who seek "to divide Frenchmen deeply." Their propaganda ignores the fact that France had separation of church and state for many years and that the new division in the nation was brought about by their aggressive and successful campaign to secure public money—a campaign which has had the warm approval of the Vatican. The bishops describe their new campaign as a campaign for "peace" and the *status quo* "at a time when the future of the country requires the unity of all." Actually, nearly two-thirds of the deputies elected last year belong to political parties which officially oppose Vatican policy on school funds.

As an anti-clerical, Premier Guy

Mollet opposes the subsidies to Catholic parents and favors the restoration of France's policy of church-state separation, but as head of the government he has pledged official neutrality in order to hold power with a shaky coalition. Circumstances have compelled him to make "the Catholic question" an object of political barter. Pro-Catholic forces in the Assembly, led by the Popular Republican (Catholic) Party, have twice defeated efforts to bring the subsidy-repeal bills to the floor by margins of less than 3 per cent of the vote.

The American Catholic press is giving much space to the French debate because the French plan of indirect subsidies, through parents, is now being suggested as ideal for the United States by many Catholic leaders. Last year, Archbishop Aloysius J. Muench of Fargo, N. D., the Vatican's papal nuncio to Germany, suggested as a solution to the problem of supporting parochial schools "a policy of refunding tax monies for the building and support of private schools." (See page 7 for resolution of French Protestant teachers on the proper role of the public school system.)

Veterans' Groups Differ On Private School Aid

"We deplore current efforts to distort the historical meaning of the religion clause of the First Amendment of the U. S. Constitution and the increasing encroachments in education and elsewhere upon the principle of separation of church and state proclaimed in the First Amendment," declared the American Veterans Committee in the national affairs platform adopted at its Ninth National Convention in Atlantic City, N. J., November 11-13. "We affirm our belief in this basic American doctrine and its continuing importance to the country's welfare. Convinced that the experience of this nation has demonstrated the wisdom of the founding fathers in holding that separation of church and state is best for the state and best for religion, we urge our fellow citizens to buttress this constitutional heritage as essential to American freedom, and we call upon Government officials and religious leaders alike to accept and follow its mandate in their respective spheres of action."

In contrast, Chapter 12 of the Disabled American Veterans at Essex Junction, Vt., called upon Vermont Governor Joseph Johnson in December for "more [state] gratitude and assistance" to private and parochial schools, and asked him to "imagine" the resulting "chaos" if all non-public schools were to "close their doors."

Tennessee Case

(Continued from page 2)

Southern contended that Article 1, Section 3 of the Constitution of Tennessee, guaranteeing freedom of conscience, was stronger than analogous provisions in other states where such cases had been decided. He also contended that the Nashville Bible-reading practice was a particularly glaring violation because, as stated in Carden's complaint, the teachers involved "ask questions of the pupils . . . concerning the content" of the passages read, a procedure which, according to Southern, "is consistent only with the fact that such teachers regard the reading of the Bible as instruction, and, indeed, that instruction is the very purpose of the reading."

Sunday School attendance checks by public school teachers and the singing of religious songs in public school classrooms were attacked in the brief as unmistakable violations. He pointed out that even in an opinion (Nebraska) where the Bible had been held to be not necessarily sectarian, the court had ruled "that where the Bible-reading was accompanied by the singing of religious songs, it was sectarian and a preference of one religion over others." Of Sunday School attendance checks, the lawyer asked: "What purpose do such checks, and the keeping of records thereof, serve, except to emphasize religious differences and to bring pressure to bear upon children in matters outside the state's competence and in violation of the separation principle?"

Southern said that the 1952 United States Supreme Court ruling (Zorach case) that a state might legally "accommodate" the public school sched-

ule as an indirect aid to outside religious activity, could not be used to justify the Nashville practices because the Court at the same time reaffirmed the McCollum doctrine that the public school system itself cannot be lent to purposes of religious indoctrination.

The friends-of-the-court brief emphasized that the Nashville practices exercised compulsion upon defenseless children and that no decision by their parents was involved. It said that Biblical and religious truths are best taught under church and parental auspices, not under the direction of any public agency.

Public School 'Incident' Causes Official 'Regret'

New York City's Superintendent of Schools, William Jansen, found it necessary on February 24 to send a written explanation of a month-old "incident" to the members of the city's Board of Education. *Church and State* quotes below the entire text of Dr. Jansen's letter to the board, without comment—none being necessary:

"Dear Mrs. Sands and Gentlemen:

"For your information I am sending you the following report on the incident that occurred on Friday, January 20, 1956, at Junior High School 136, Brooklyn.

"A few days after the incident we received two anonymous complaints that nuns had addressed the assembly in a talk which sought to recruit girls to join the Order. I regret to state that the complaints were justified and the principal explains it this way:

"A new non-sectarian center is be-

ing opened at St. Rocco's Church and he thought that this center will provide worthy recreational facilities for his pupils who are now so limited and handicapped in this respect. For this reason, he authorized the nuns to address the assembly.

"The slides showed sisters preparing their lessons for vacation schools, preparing for census work, visiting the parish, directing study clubs, visiting the poor in Puerto Rico, training lay catchists, and showed scenes of the outside of the Novitiate. A mimeographed sheet was distributed containing information on the work of the mission and the address of the mission helpers in Joppa, Maryland, where further information could be obtained.

"The principal reports that he was not aware that the presentation would take the form that it did and had he been present he would have stopped the talk. Unfortunately, he was not present because official duties required him to be out of his building.

"The principal realizes that it was a most unfortunate incident which justly gave offense. He states that he will exercise great vigilance henceforth to make certain that any program is clearly defined and the literature carefully inspected before authorization for use of the school is given.

"Mr. Ferrerio has had an excellent record as a principal and a community leader at P. S. 173 in Queens and at the school where he is now principal. I know that he regrets very much the entire incident."

Jersey City 'Give-Away' Faces New Court Test

Jersey City's action in "leasing" an important part of the city's gigantic Medical Center to a Roman Catholic institution, Seton Hall University, has again been challenged in court, this time on the basic ground that the transaction violates the principle of church-state separation.

Elliott Robbins, acting as an individual plaintiff, and the Jersey City Association for Separation of Church and State, filed the suit in February demanding cancellation of the lease on constitutional grounds. The Rev. Dr. George G. Hollingshead, executive director of the Methodist-affiliated Good Will Industries of New Jersey, is head of the Jersey City Association. In a forthcoming issue, *Church and State* will discuss details.

How to 'Protect' Citizens

TOLERATION OF ERROR. A separate question concerns the propagation of false doctrines among Catholics. Here the State would have to protect its citizens, for the dissemination of error could become a source of positive harm to the faithful and hence a threat to the common good. Error has no right to be propagated, for every right implies the

In the specific matter of marriage, the Church's position is that since Matrimony is a sacrament, its spiritual character supersedes its civil character.

In 1864, however, Pope Pius XI issued the *Syllabus of Errors*. In it he condemned the proposition, "that the Church must be separated from the State and the State from the Church." He condemned this idea only as a universal rule. Later, he approved of the teaching that unfortunate conditions might exist which would require the acceptance of the separation of Church and State on a reasonable basis.

Reproduced here are key passages from the Roman Catholic parochial high school textbook, "Christian Principles and National Problems," published in 1945 by William H. Sad-

lier, Inc., New York, with the Imprimatur of Francis J. (now Cardinal) Spellman of New York. For full story, see September, 1955 issue of this review.

Limited Freedom

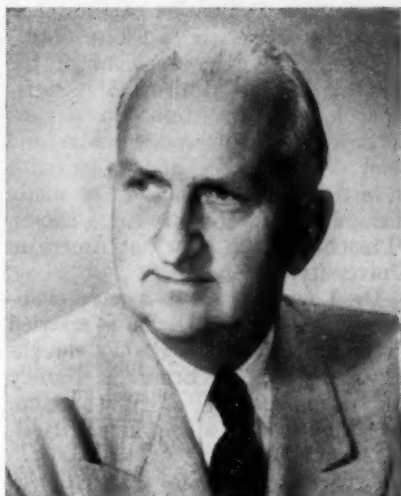
"I can preach what I like from the pulpit, but of course I do not say anything to undermine the reconstruction of the country. If I want to say something that might conflict with the state's principles, I discuss it with officials first.

"... Some readjustment has been necessary, and there is now a slight connection [of the churches] with the state."—From statement by Prof. Josef L. Hromadka, official of the Evangelical Church of Czech Brethren, as he attended a World Council of Churches meeting in Sydney, Australia.

Teacher's Role

French Protestant teachers recently resolved that instructors should "make known to the pupils all forms of thought and doctrine which in their diversity and contradictions are the common heritage" of mankind. (See story on page 5.)

Area Official



POAU's Los Angeles Chapter, under the leadership of President Roy L. Laurin (above), is assuming a larger role as the first Area Office of POAU, established under a recent directive of the national board of trustees. (See story on page 8.)

Lateran Treaty Makes For Public Nuisance

"ROME.—Builders of apartments in the vicinity of the Vatican here are wrestling with a peculiar problem: how to build rooms without a view.

"The law says that all buildings in Rome with a view of Vatican City must have windows and balconies screened by opaque glass or walls... The law—in effect a zoning ordinance—grew out of a treaty signed in 1929 between the Holy See and the Italian Government. In one article the Government pledged itself not to allow construction of new buildings that would overlook Vatican City.

"Purpose of the edict is to insure protection and privacy for the Pope and residents of Vatican City—but it's a headache to builders."
—"Parade," January 22.

NEWS From Far and Near

(Continued from page 3)

◆ No new congregations of Norway's State Lutheran Church have been established in rapidly growing cities since the end of World War II because the national and municipal governments, which jointly pay pastors' salaries, have disagreed as to the relative responsibility of each.

◆ The forthcoming marriage of Hollywood actress Grace Kelly to Prince Rainier III of Monaco has enabled the Rev. J. Francis Tucker, Rainier's spiritual adviser and chaplain, to sell a series of articles to International News Service. In one of these, Father Tucker recalls Rainier's accession to the throne in 1949, when he "at once made the journey to the Vatican required of a Catholic monarch by protocol," and prevailed upon Pope Pius XII "to name to the [prince's] Parish of St. Charles a group of priests of international character."

◆ The U. S. State Department has been urged to demand retraction of a statement by the Colombian Ambassador in Washington accusing Protestant missionaries in general and the Rev. Julius Allan de Gruyter in particular of improper methods (*Church and State*, February). Dr. Clyde W. Taylor, secretary of affairs for the National Association of Evangelicals, declared in a letter to the Department that "Protestants in Colombia desire only that they be granted the freedom of their convictions and the liberty to act in accord with the Scriptural mandate to share the Gospel with others."

◆ Seventy-six dollars to "help some in the work which you are doing" was forwarded to POAU recently by Mrs. H. R. Felt, secretary of the Unitarian Society of Willmar, Minn. The money, she explained, represented the proceeds of a pancake supper. POAU accepts this gift with deep gratitude, and hopes that the Willmar group's pancake-supper idea will prove suggestive to friends of religious liberty in all parts of the nation!

◆ "The forces of materialism and atheism can only be beaten back by strong joint action between the two great groups of believers in God—the Catholics and the Moslems," Dr. Ennio Arru, secretary general of the newly-formed East-West Center declared in Rome on February 23. Dr. Arru is a citizen of the Vatican State. A few days later Sheikh Muhammed Baghat Al-Bitar of Damascus, Syria, arrived in New York to begin an American-Canadian lecture tour to further "Moslem-Christian Cooperation."

Bound Volume Yields Vital Research Data

Purchasers of the seven-year (1948-1954) bound volume of *Church and State* have found in its 459 indexed pages a mine of information on many aspects of church-state relations and religious liberty—information of value not only to individual researchers and general readers but also to study groups, classes and seminars, clubs, organizations and libraries. To obtain a copy of the inexpensive (\$3.50) volume for yourself or for donation to a group or library, use the blank below. A limited quantity is still available.

POAU

1633 Massachusetts Avenue, N. W.
Washington 6, D. C.

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Lowell Becomes POAU Associate Director



The author of *A Summons to Protestants*—one of the earliest pamphlets distributed by POAU—joins the national headquarters staff this month as Associate Director. Leaving the pastorate of the Virginia Beach, Va., Methodist Church to return to the Washington scene, the Rev. Dr. C. Stanley Lowell (above) will work closely with Executive Director Glenn L. Archer.

Dr. Lowell, a Methodist, has previously served parishes in Miami, Fla., Wilmington, and Dover, Del., and Washington, D. C. A native of Hastings, Minn., he was graduated from Asbury College, Wilmore, Ky., and holds degrees from Duke University and Yale Divinity School.

Throughout his career Dr. Lowell has displayed leadership in such posts as president of the Dade County (Fla.) Council of Social Agencies, chairman of the Committee on Pris-

oners' Aid in Dover, Del., chairman of public services for the Washington Federation of Churches, president of the Chevy Chase (Md.) Ministers Council, president of the Virginia Beach Ministerial Association, lecturer at Methodist pastors schools and conferences, radio and television preacher and contributor of articles to publications of many denominations. He was twice chosen "Preacher of the Year" at American University.

Dr. Lowell served as a navy chaplain in World War II. He is married to the former Arianne Hadley, daughter of the late Dr. Ernest E. Hadley and Mrs. Hadley of Washington, D. C. They have a son, Ernest Hadley Lowell.

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Board Adopts Program For Future Action

POAU Executive Director Glenn L. Archer's eighth annual report to the board of trustees contained major recommendations which were unanimously adopted by the board, some requiring immediate action (see this issue and *Church and State*, February, for steps already taken) and others involving long-range planning.

The recommendations included: election of a president "who has the respect of the nation and who will continue our high standard of leadership"; adopting of "Rules Covering Relationship of Local Chapters to National POAU"; appointment of a committee composed of board members "to plan, organize, finance and direct an advertising campaign by which the great principles POAU supports can be proclaimed in our metropolitan press"; establishment "as an

experiment" of a regional POAU office to deal with church-state problems in its own area, to be followed by the establishment of others if the experiment is successful; appointment of "a qualified Associate Director of POAU" to be "thoroughly briefed in the methods of operation so that the continuity of the work would offer no problem in the event of the Director's incapacity"; appointment by the board of trustees of a committee, "partly from its own membership and partly from the membership of local chapters," to re-appraise all POAU activities with a view to increasing their efficiency; and appointment of "a good research man on a part-time basis" to make special studies of such problems as the tax-exempt status of religious functionaries who have taken a vow of poverty, clerical influence "in elections where school bonds are being voted on," and instances of "the transfer of public property to sectarian interests."

POAU Advertising Fund Grows; More Needed

As this issue of "Church and State" goes to press, readers have responded generously to the appeal for funds to finance a national POAU advertising campaign. Since December, when the appeal was first made \$1,227 has been contributed. This is a good start—but only a start—towards accumulation of a fund sufficiently large to place a series of advertisements to best advantage in newspapers and magazines in various parts of the country. Help put the campaign over the top by sending YOUR contribution today to:

POAU Advertising Fund
1633 Massachusetts Avenue, N. W.
Washington 6, D. C.

(Make checks payable to Protestants and Other Americans United)

Pugnacity's Reward

According to the *Washington Evening Star*, the expression, "People who live in glass houses shouldn't throw stones," originated in England after the "Duke of Buckingham . . . led a mob to throw stones through Puritans' windows. But the Puritans retaliated with attacks on the Duke's house (which had many windows). When he complained to the King, the expression, 'People who live in glass houses . . . ' etc., was applied."

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If you change your address, inform POAU headquarters.

MARCH 1956, VOL. 9, No. 3

CHURCH AND STATE

Monthly Organ of
Protestants and Other Americans United for Separation
of Church and State

1633 Massachusetts Ave., N. W., Washington 6, D. C.